

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA EXPRESSING OPPOSITION TO HOUSE BILL 445 AND SENATE BILL 782 AND URGING THE FLORIDA LEGISLATURE TO OPPOSE HOUSE BILL 445 AND SENATE BILL 782

WHEREAS, Article 1, section 14 of the Florida Constitution states that all persons are entitled to pretrial release on reasonable conditions; and

WHEREAS, the Florida Legislature has established a presumption in favor of pretrial release on nonmonetary conditions under Section 907.041(3)(a), F.S.; and

WHEREAS, House Bill 445 and Senate Bill 782 seek to require all pretrial release programs limit the eligibility requirements for entry into a pretrial release program; and

WHEREAS, the Leon County Board of County Commissioners established the Leon County Public Safety Coordinating Council in May 2001 to address overcrowding in the County Jail; and

WHEREAS, the pretrial release programs adopted by the Board of County Commissioners, such as global positioning satellite (GPS) electronic monitoring, Secure Continuous Remote Alcohol Monitoring (SCRAM) electronic monitoring, and the Mental Health Pretrial Release Program, have had direct impact on the reduction of the County Jail population; and

WHEREAS, the daily jail maintenance cost for an inmate is \$67.40 and the average daily cost of supervised pretrial release is \$3.94 per day, for a cost difference of \$63.46 per day; and

WHEREAS, on average Leon County diverts over 500 defendants a month from the County jail which equates to over 180,000 jail bed days being avoided; and

WHEREAS, the passage of House Bill 445 and Senate Bill 782 would adversely affect release decisions at First Appearance and carries enormous consequences not only for the defendant but also for public safety, the integrity of the criminal justice system and the utilization of our often overtaxed criminal justice resources; and

WHEREAS, more than 50 percent of the Florida pretrial jail population is sitting in jail merely because they cannot afford to post what the Court has determined to be a reasonable bond.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF LEON COUNTY, FLORIDA THAT:

Section 1: The County Commission of Leon County, Florida expresses its opposition to House Bill 445 and Senate Bill 782.

Section 2: The County Commission of Leon County, Florida urges the Florida Legislature to oppose House Bill 445 and Senate Bill 782.

PASSED AND ADOPTED by the Board of County Commissioners of Leon County, Florida on this 23rd day of March 2010.

LEON COUNTY, FLORIDA

BY: _____
Bob Rackleff, Chairman
Board of County Commissioners

ATTESTED BY:

BY: _____
Bob Inzer
Clerk of the Circuit Court

APPROVED AS TO FORM:
Leon County Attorney's Office

BY: _____
Herbert W. A. Thiele
County Attorney